
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
THURSDAY – SEPTEMBER 25, 2014

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held September 25, 2014, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

ABSENT: 0.

PRESIDING: President and Trustee Kenneth Hauser.

Trustee Hauser called the meeting to order.

The first order of business was review and approval of the investment committee meeting held September 22, 2014.

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board approve the minutes from the investment meeting held September 22, 2014, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

Next was the approval of the Minutes of the last regular meeting of the Retirement Board held August 28, 2014.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board approve the minutes from the regular meeting held August 28, 2014, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

The President turned the meeting over to the recording secretary, Trustee Maloney.

The Board Recording Secretary conducted the agenda as follows:

PAGE NO. REFERENCE

1 - 6 Incurred Expenses for the Month of September 2014.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board approve the Obligations as detailed on pages 1 through 6.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

7 - 10 Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations.

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the Refunds as detailed on pages 7 through 10.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

MINUTES CONTINUED

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11 - 12 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hauser, seconded by Trustee Scott that the Board approve the Payment to Heirs of Deceased Annuitants as detailed on pages 11 and 12.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

13 Refund of Unused Annuity Accumulations

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve the Refund of Unused Annuity Accumulations as detailed on page 13.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

14 - 16 Annuities [Summary pg. 17]

It was moved by Trustee Hauser, seconded by Trustee Avila that the Board approve the Annuities as detailed on pages 14 through 16, excluding Melissa Williams.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

*It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve a twenty-four year annuity for **Melissa Williams**, (page 16) after she contributes for the additional sixteen days of lost time, for which the Pension Fund did not receive pension contributions. The additional contributions will increase her monthly annuity from \$4,321.98 for 23 years and 11 months of service to \$4,502.06 for 24 years 0 months of service. This is in accordance with records and documents contained in her file.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: 0.

Against: Neely, Scott 2.

18 Annuities to Widows [Summary pg. 19]

*It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve the Annuities to Widows as detailed on page 18, except for the compensation widow's annuity claim made by **Sandra Harris**, which is deferred to a full evidentiary hearing.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

MINUTES CONTINUED

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PAGE NO. REFERENCE

20 Occupational/Duty Disability Benefit Claims

 a) **Jones, Yvette A.**

Based on the medical reports, it was moved by Trustee Wright, seconded by Trustee Lappe that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

21 - 23 Payments of Death Benefits [Summary pg. 24]

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the Death Benefits as detailed on pages 21 through 23.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

MISCELLANEOUS

25 GUARDIANSHIP APPOINTMENT

Rita, Robert

It was moved by Trustee Lappe, seconded by Trustee Scott that the Board acknowledge the guardianship appointment as detailed on page 25.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

26 CLAIM FOR CHILD DISABILITY BENEFITS

Fleming, Troy M.

It was moved by Trustee Hauser, seconded by Trustee Neely that the Board approve child disability benefits for the minor of a duty disability recipient as detailed on page 26.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

27 PETITIONS FOR PENSION CREDIT FOR PRIOR COOK COUNTY
 SERVICE UNDER 5-214 (C)

Documentation verified, it was moved by Trustee Scott, seconded by Trustee Lappe that the Board approve the prior Cook County service petition as detailed on page 27.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

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PAGE NO. REFERENCE

28 PETITIONS FOR PENSION CREDIT FOR PRIOR LAW ENFORCEMENT
SERVICE UNDER 5-214.2

Documentation verified, it was moved by Trustee Neely, seconded by Trustee Hamburger that the Board approve the prior military Law Enforcement petition as detailed on page 28.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

29 PETITIONS FOR PENSION CREDIT FOR PRIOR MILITARY
SERVICE UNDER 5-214.3

Documentation verified, it was moved by Trustee Scott, seconded by Trustee Lappe that the Board approve the prior military service petitions as detailed on page 29.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

General Agenda completed The Board President Hauser called the hearings on the scheduled cases.

From prior hearings, the Board's attorney submitted two Orders for review and approval.

*It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board adopt the **Order** as submitted on **Jacqueline Spaargaren**, who was awarded a duty disability benefit at 50% of salary as defined in the Statute.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: 0.

Against: Neely 1.

*It was moved by Trustee Scott, seconded by Trustee Hamburger that the Board adopt the **Order** as submitted on **Judy Isaac**, who was denied credit for prior service.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: 0.

Against: Neely 1.

It was moved by Trustee Scott, seconded by Trustee Wright that the Board go into executive session pursuant to 2 (c)(11) to discuss cases.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Wright that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

HEARINGS
DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEWS

30

Ali, Meer

It was moved by Trustee Lappe, seconded by Trustee Scott that based on the current medical reports the Board move to terminate Meer Ali's duty disability benefit in 30 days to enable his return to active duty with the Chicago Police Department.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

31

Janda, Liane

Liane Janda appeared before the Board, with counsel, on her duty disability benefit status review. After reviewing the recent medical reports submitted, *it was then moved by Trustee Lappe, seconded by Trustee Scott that based on the current medical report, the Board move to terminate Liane Janda's duty disability benefit in 30 days (October 31, 2014) to enable her return to active duty with the Chicago Police Department.*

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Scott, Wright 6.

Absent: Avila, Neely 2.

Against: 0.

32

Mc Court, Joseph

Joseph McCourt appeared before the Board, with counsel, on his duty disability benefit status review. After hearing testimony from the officer, Board's physician and Sgt. Kemper of the Medical Service Section of the Chicago Police Department and reviewing recent medical reports submitted, *it was moved by Trustee Wright, seconded by Trustee Scott that based on the current medical reports the Board direct officer McCourt to have a new IME or FCE completed.*

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Scott, Wright 6.

Absent: Avila, Neely 2.

Against: 0.

33

Mercado, Alan

Alan Mercado appeared before the Board, with counsel, on his duty disability benefit status review. After hearing testimony and reviewing the medical documents submitted, *no Board action was taken at that time. The officer shall remain on occupational disease disability without interruption.*

34

Smith, Willie

Willie Smith appeared before the Board, with counsel, on his duty disability benefit status review. After hearing testimony and reviewing the medical documents submitted, *it was moved by Trustee Maloney that the Board approve continuation of his rehab and his continued status.*

NO SECOND

MOTION FAILS

It was then moved by Trustee Neely, seconded by Trustee Lappe that based on the current medical report, the Board move to terminate Willie Smith's duty disability benefit in 30 days to enable his return to active duty with the Chicago Police Department.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Neely, Scott, Wright 7.

Absent: 0.

Against: Maloney 1.

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DUTY DISABILITY CLAIMS

35

Enriquez, Elizabeth

Elizabeth Enriquez appeared before the Board, with counsel, on her claim for a duty disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted *it was moved by Trustee Wright, seconded by Trustee Maloney, that the Board grant a duty disability benefit to Elizabeth Enriquez.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: 0.

Against: Lappe 1.

It was moved by Trustee Wright, seconded by Trustee Maloney that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: 0.

Against: Lappe 1.

35

Ferraro, Patricia D.

This was a duty disability application filed by the officer relating to some orthopedic injuries. From the medical reports of Dr. Levin, the orthopedic medical complaints have resolved and are no longer an issue in this case. The officer is now seeking a heart disability benefit and wants to proceed with an application for an occupational disease disability.

It was moved by Trustee Wright, seconded by Trustee Neely, that the Board defer the disability claim of Patricia Ferraro for review of new medical documents submitted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

35

Sieja, Thomas A.

Thomas A. Sieja appeared before the Board, with counsel, on his claim for a duty disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted *it was moved by Trustee Maloney that the Board grant a duty disability benefit to Thomas Sieja.*

NO SECOND.

MOTION FAILS

It was moved by Trustee Scott, seconded by Trustee Neely that the Board grant an ordinary disability benefit as defined in the Statute.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: 0.

Against: Lappe 1.

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Not on Today's Agenda, presented from the floor.

Finnegan, Kevin

This officer has sought to return to work with the Chicago Police Department. It was moved by Trustee Hamburger, seconded by Trustee Neely that based on the current medical report the Board move to terminate Kevin Finnegan's duty disability benefit in 30 days to enable his return to active duty with the Chicago Police Department.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

Blessing, Lizette

This officer has sought to return to work with the Chicago Police Department. It was moved by Trustee Neely, seconded by Trustee Lappe that based on her current medical status and application to return to duty, the Board move to terminate Lizette Blessing's duty disability benefit in 30 days to enable her return to active duty with the Chicago Police Department.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Neely, that the Board go into executive session per 2 (c)(1) to discuss personnel matters.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 7.

Absent: Avila 1.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 7.

Absent: Avila 1.

Against: 0.

The Executive Director reviewed with the Board the following matters.

- Discussion was had concerning the upcoming election; the Board is scheduled meet, with a quorum, for a passing on the sufficiency of the petitions filed on Thursday, October 2, 2014, at 9:00 a.m., with Trustee Neely given unanimous approval for telephonic attendance.
- The Fund's FOIAs for current year were reviewed at the request of Trustee Neely.
- The Request For Proposal for the Fund's real estate brokerage services was posted in early September with a close date of October 5, 2014. After which time the responses will be assembled and further information shall be provided.
- Based on annual exams of disability recipients, the Board's physician has recommended additional testing to be completed as follows:

<u>Member</u>	<u>Recommended Test</u>
Perry Whiteside	FCE

It was moved by Trustee Neely, seconded by Trustee Hamburger that the Board approve the recommendations of the Board's physician to have the FCE for the mentioned individual.

MINUTES CONTINUED

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ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 7.

Absent: Avila 1.

Against: 0.

- There was a request by a Trustee to attend Opal's Emerging Managers Summit on November 6 & 7, 2014.

It was moved by Trustee Maloney, seconded by Trustee Wright that the Board grant permission to all trustees who are interested in attending the Opal conference.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 7.

Absent: Avila 1.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Maloney that the Board go into executive session to discuss pending litigation.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Scott, Wright 6.

Absent: Avila, Neely 2

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Maloney that the Board exit the executive session.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Scott, Wright 6.

Absent: Avila, Neely 2

Against: 0.

Regarding litigation involving Fund's legal counsel, Scott & Scott, concerning the WaMu MBS securities litigation, *it was moved by Trustee Maloney, seconded by Trustee Wright that the Board direct the Fund's attorneys at Scott & Scott to accept the settlement based on their recommendation.*

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Scott, Wright 6.

Absent: Avila, Neely 2.

Against: 0.

Regarding litigation involving the Fund, concerning the NeuStar class action, *it was moved by Trustee Maloney, seconded by Trustee Wright that the Board direct the Fund's attorneys to withdraw the Fund's request for lead plaintiff in this case.*

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Scott, Wright 6.

Absent: Avila, Neely 2.

Against: 0.

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BOARD DIRECTIVE: The Board gave direction to the Fund's staff that procedures for determining disability cases to investigate should be referred to at least two members of the Board and reviewed by counsel. No further information or explanation shall be provided in order to protect the integrity of the process.

The President addressed the attendees at this meeting; 'Is any of the public out here interested in addressing the Board on any matter?'

NO REPLY

All business concluded for this date, September 25, 2014, *it was moved by Trustee Wright, seconded by Trustee Maloney that this meeting be adjourned.*

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Scott, Wright 6.

Absent: Avila, Neely 2.

Against: 0.